

and the Republic of Palau, \$200,000, with the Republic of Palau's share governed by the Compact of Free Association between the United States and the Republic of Palau."

#### SEC. 203. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

#### SEC. 204. STUDY AND REPORT.

(a) STUDY.—The Attorney General, in cooperation with the Director of the Administrative Office of the United States Courts, shall conduct a study of the funds paid out of the Crime Victims Fund and the impact that the amendments made by this Act have on funds available in the Crime Victims Fund, including an assessment of any reduction or increase in fines collected and deposited into the Fund directly attributable to the amendments made by this Act.

(b) REPORT.—The Attorney General and the Director of the Administrative Office of the United States Courts shall report interim findings to the Chairman and ranking Member of the Committees on the Judiciary of the Senate and House of Representatives 1 year after the date of enactment of this Act, an annually thereafter until issuing a final report, together with recommendations, not later than 4 years after the date of enactment of this Act.

### THE NATIONAL MARINE FISHERIES SERVICE LABORATORY CONVEYANCE ACT

#### PRESSLER (AND OTHERS) AMENDMENT NO. 3113

Mr. WARNER (for Mr. PRESSLER, for himself, Mr. KERRY, and Mr. STEVENS) proposed an amendment to the bill (H.R. 1358) to require the Secretary of Commerce to convey to the Commonwealth of Massachusetts the National Marine Fisheries Service laboratory located on Emerson Avenue in Gloucester, MA; as follows:

#### SECTION 1. CONVEYANCES.

(a) NATIONAL MARINE FISHERIES SERVICE LABORATORY AT GLOUCESTER, MASSACHUSETTS.—

(1) IN GENERAL.—The Secretary of Commerce shall convey to the Commonwealth of Massachusetts, all right, title, and interest of the United States in and to the property comprising the National Marine Fisheries Service laboratory located on Emerson Avenue in Gloucester, Massachusetts.

(2) TERMS.—A conveyance of property under paragraph (1) shall be made—

(A) without payment of consideration; and  
(B) subject to the terms and conditions specified under paragraphs (3) and (4).

(3) CONDITIONS FOR TRANSFER.—

(A) IN GENERAL.—As a condition of any conveyance of property under this subsection, the Commonwealth of Massachusetts shall assume full responsibility for maintenance of the property for as long as the Commonwealth retains the right and title to that property.

(B) CONTINUED USE OF PROPERTY BY NMFS.—The Secretary may enter into a memorandum of understanding with the Commonwealth of Massachusetts under which the National Marine Fisheries Service is authorized to occupy existing laboratory space on the property conveyed under this subsection, if—

(i) the term of the memorandum of understanding is for a period of not longer than 5 years beginning on the date of enactment of this Act; and

(ii) the square footage of the space to be occupied by the National Marine Fisheries Service does not conflict with the needs of, and is agreeable to, the Commonwealth of Massachusetts.

(4) REVERSIONARY INTEREST.—All right, title, and interest in and to all property conveyed under this subsection shall revert to the United States on the date on which the Commonwealth of Massachusetts uses any of the property for any purpose other than the Commonwealth of Massachusetts Division of Marine Fisheries resource management program.

(5) RESTRICTION.—Amounts provided by the South Essex Sewage District may not be used by the Commonwealth of Massachusetts to transfer existing activities to, or conduct activities at, property conveyed under this section.

(b) PIER IN CHARLESTON, SOUTH CAROLINA.—Section 22(a) of the Marine Mammal Protection Act Amendments of 1994 (Pub. Law 103-238; 108 Stat. 561) is amended—

(1) by inserting "(1)" before "Not"; and  
(2) by adding at the end thereof the following:

"(2) Not later than December 31, 1996, the Secretary of the Navy may convey, without payment or other consideration, to the Secretary of Commerce, all right, title, and interest to the property comprising that portion of the Naval Base, Charleston, South Carolina, bounded by Hobson Avenue, the Cooper River, the landward extension of the property line located 70 feet northwest of and parallel to the centerline of Pier Q, and the northwest property line of the parking area associated with Pier R. The property shall include Pier Q, all towers and out-buildings on that property, and walkways and parking areas associated with those buildings and Pier Q."

#### SEC. 2. FISHERIES RESEARCH FACILITIES.

(a) FORT JOHNSON.—The Secretary of Commerce, through the Under Secretary of Commerce for Oceans and Atmosphere, is authorized to construct on land to be leased from the State of South Carolina, a facility at Fort Johnson, South Carolina, provided that the annual cost of leasing the required lands does not exceed one dollar.

(b) AUKE CAPE.—The Secretary of Commerce, through the Under Secretary of Commerce for Oceans and Atmosphere, is authorized to construct a facility on Auke Cape near Juneau, Alaska, to provide consolidated office and laboratory space for National Oceanic and Atmospheric Administration personnel in Juneau, provided that the property for such facility is transferred to the National Oceanic and Atmospheric Administration from the United States Coast Guard or the City of Juneau.

(c) COMPLETION DATE FOR FUNDED WORK.—The Secretary of Commerce shall complete the architectural and engineering work for the facilities described in subsections (a) and (b) by not later than May 1, 1996, using funds that have been previously appropriated for that work.

(d) AVAILABILITY OF APPROPRIATIONS.—The authorizations contained in subsections (a) and (b) are subject to the availability of appropriations provided for the purpose stated in this section.

#### SEC. 3. PRIBILOF ISLANDS.

(a) IN GENERAL.—The Secretary of Commerce shall, subject to the availability of appropriations provided for the purposes of this section, clean up landfills, wastes, dumps, debris, storage tanks, property, hazardous or unsafe conditions, and contaminants, includ-

ing petroleum products and their derivatives, left by the National Oceanic and Atmospheric Administration on lands which it and its predecessor agencies abandoned, quit-claimed, or otherwise transferred or are obligated to transfer, to local entities or residents on the Pribilof Islands, Alaska, pursuant to the Fur Seal Act of 1966 (16 U.S.C. 1151 et seq.), as amended, or other applicable law.

(b) OBLIGATIONS OF SECRETARY.—In carrying out cleanup activities under subsection (a), the Secretary of Commerce shall—

(1) to the maximum extent practicable, execute agreements with the State of Alaska, and affected local governments, entities, and residents eligible to receive conveyance of lands under Fur Seal Act of 1966 (16 U.S.C. 1161 et seq.) or other applicable law;

(2) manage such activities with the minimum possible overhead, delay, and duplication of State and local planning and design work;

(3) receive approval from the State of Alaska for agreements described in paragraph (1) where such activities are required by State law;

(4) receive approval from affected local entities or residents before conducting such activities on their property; and

(5) not seek or require financial contributions by or from local entities or landowners.

(c) RESOLUTION OF FEDERAL RESPONSIBILITIES.—(1) Within 9 months after the date of enactment of this section, and after consultation with the Secretary of the Interior, the State of Alaska, and local entities and residents of the Pribilof Islands, the Secretary of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Resources of the House of Representatives, a report proposing necessary actions by the Secretary of Commerce and Congress to resolve all claims with respect to, and permit the final implementation, fulfillment and completion of—

(A) title II of the Fur Seal Act Amendments of 1983 (16 U.S.C. 1161 et seq.);

(B) the land conveyance entitlements of local entities and residents of the Pribilof Islands under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

(C) the provisions of this section; and

(D) any other matters which the Secretary deems appropriate.

(2) The report required under paragraph (1) shall include the estimated costs of all actions, and shall contain the statements of the Secretary of Commerce, the Secretary of the Interior, any statement submitted by the State of Alaska, and any statements of claims or recommendations submitted by local entities and residents of the Pribilof Islands.

(d) USE OF LOCAL ENTITIES.—Notwithstanding any other law to the contrary, the Secretary of Commerce shall, to the maximum extent practicable, carry out activities under subsection (a) and fulfill other obligations under federal and state law relating to the Pribilof Islands, through grants or other agreements with local entities and residents of the Pribilof Islands, unless specialized skills are needed for an activity, and the Secretary specifies in writing that such skills are not available through local entities and residents of the Pribilof Islands.

(e) DEFINITION.—For the purposes of this section, the term "clean up" means the planning and execution of remediation actions for lands described in subsection (a) and the redevelopment of landfills to meet statutory requirements.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated not to exceed \$10,000,000 in each of fiscal years 1996, 1997, and 1998 for the purposes of carrying out this section.

# AUTHORITY FOR COMMITTEES TO MEET

## COMMITTEE ON FOREIGN RELATIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Friday, December 22, 1995, between the first and second rollcall votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADDITIONAL STATEMENTS

### PRESIDENT CLINTON'S GOVERNMENT SHUTDOWN

• Mr. FAIRCLOTH. Mr. President, we are in the 7th day of a partial Government shutdown. The President is playing politics with this issue and he should stop it. He is trying to blame Congress for his failure to sign the legislation which would have averted this crisis. In addition, he is trying to divide the House freshmen and the House Republican leadership. And, he is trying to divide House and Senate Republicans. Such desperate tactics on his part are doomed to fail.

Yesterday, in a demonstration of solidarity, House Republicans—conservatives and moderates alike—told the Nation that the President's politics of division wouldn't work, that they remained united in our struggle against President Clinton's efforts to undermine a balanced budget agreement. More importantly, they rightly pointed the finger of blame for the partial Government shutdown directly at the White House.

Congress has sent three spending bills to the President which would have kept open the Departments of Veterans Affairs, HUD, Commerce, Justice, State, and Interior. What did President Clinton do? He vetoed all of these bills, and in so doing delayed benefits checks to our Nation's veterans. He had the power to prevent the shutdown of these agencies and to keep Federal workers on the job. Instead, with the stroke of a pen he sent thousands of Federal workers home during this holiday season.

The Congress did its job and passed appropriations bills which responsibly reduced Government spending and which would have kept agencies open. But, President Clinton wasn't interested in that. He was looking for a photo opportunity. He vetoed funding bills and closed down parts of the Government. He should be and will be held accountable for this shutdown.

Furthermore, workers at the Departments of Labor, HHS, and Education could be at the desks today if the Democrats would end the filibuster which they began in September.

When you look at the Government shutdown, the facts simply don't support the President's extremist rhetoric. In reality, this crisis has been engi-

neered by the President to bolster his reelection campaign. After being viewed as irrelevant for so long, the President has now identified himself with something he believes in passionately. He is passionate about spending—deficit spending. He is passionate about preserving the status quo which heaps trillions of dollars of debt on our children and grandchildren.

I hope that he will abandon his harsh scare tactics and get serious about balancing the budget. It was not until just a few days ago that he agreed to finally offer a balanced budget plan using honest numbers. He finally abandoned his preferred strategy of cooking the books as a way to balance the budget. Such policies won't lead to a balanced budget. They never have and they never will. President Clinton had chosen the path of certain failure. Congress rightly did not follow him down that dead-end road.

Although Congress has already passed legislation once to provide for veterans benefits, we have an opportunity today to overturn the President's action which cut off these funds. The men and women who have served our Nation in the armed services should not be used as a bargaining chip in this budget struggle between Congress and the President. I support the immediate restoration of funds for veteran benefits, and I hope that we will pass such legislation today.

Finally, I call upon the President to give America a Christmas present in the form of a balanced budget and a working Government. I call upon him to sign the funding bills which he has rejected, and I call upon him to help end the Democratic filibuster of the Labor, HHS appropriations bill. If the President wanted—all of this could be done before Christmas.●

### MEDICARE REIMBURSEMENT TO THE DEPARTMENT OF DEFENSE

• Mr. INOUE. Mr. President, I join with my esteemed colleague from Texas Senator GRAMM, to introduce this bill for Medicare reimbursement to the Department of Defense [DOD] for care provided in our military medical treatment facilities to Medicare eligible beneficiaries. When these dedicated men and women made a commitment to a career of service in the Armed Forces, a promise was made to them that upon retirement they and their family members would continue to receive health care for life in our superb Military Health Services System [MHSS]—if they so chose. In fact, approximately 230,000 of the 1.2 million Medicare eligible retirees currently do choose to get their health care at military treatment facilities. Regrettably, as the military downsizes and Defense health budgets are cut, without Medicare reimbursement, the MHSS will no longer be able to provide health care for these retirees. Many of these retired servicemembers and their families made career-long sacrifices based

in part on the expectation that they would have guaranteed health care. I believe it is important that our Nation continue its firm commitment and honor the promises made to those individuals and their families.

Mr. President, this bill provides an additional benefit to the Nation—more cost effective health care for this population. If the MHSS can no longer provide their health care, 230,000 more retirees who are already Medicare eligible will be forced into the Medicare system—at a substantially higher cost than that for DOD reimbursement. As a taxpayer, this just makes good business sense.

Mr. President, these dedicated servicemembers kept their promise to our nation and now I believe it is right that the Nation keep its promise to them. This bill will enable the MHSS to continue to provide health care services to Medicare eligible retirees and their families as promised for those who choose to receive their care in our military facilities.●

### THE AU PAIR PROGRAM

• Mr. GRAMS. Mr. President, over the past several weeks, my office has received many telephone calls from concerned Minnesotans regarding the partial shutdown of the Federal Government and the lack of funding which has resulted for the program which brings nannies from foreign countries into America.

Nannies have been coming to the United States through the Au Pair program, a cultural exchange program run by the United States Information Agency (USIA) which oversees the matching of young people from abroad with American families in need of live-in babysitters.

Approximately 13,000 young adults have participated in this program over the years and 10,000 American families have benefitted from the helping hands these visiting babysitters provide. They are paid a weekly salary of \$115 plus room and board for their services.

When its appropriations expired at the end of the last fiscal year on September 30, the entire Au Pair program was put into limbo until it could be funded again. It had been included in three separate appropriations bills, but each has failed to become law due to objections over issues unrelated to the Au Pair program. On December 11, Senator HELMS recognized the pressing nature of the situation and introduced S. 1465, legislation funding and extending the Au Pair program for 2 years. The bill passed the Senate on December 13 and a related measure was introduced in the House that same day. It was passed by voice vote on December 18.

Late Wednesday night, this legislation was delivered to 1600 Pennsylvania Avenue. But now, 3 days later, it continues to sit on the President's desk awaiting his signature. Furthermore, while many families wait, there has been no indication yet as to whether the President will sign or veto this bill.